

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 1999-481-C - ORDER NO. 2000-0134
FEBRUARY 8, 2000

IN RE: Petition of BellSouth Telecommunications,)
Inc. for Arbitration of an Interconnection) ORDER MODIFYING
Agreement with Tel-Link, LLC and Tel-Link,) ARBITRATION PLAN
Florida, LLC Pursuant to the)
Telecommunications Act of 1996.

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This matter comes before the Public Service Commission of South Carolina (“Commission”) on a request of the Commission Staff (“Staff”) to modify the arbitration plan approved in Commission Order No. 2000-041, dated January 11, 2000, and captioned “Order Establishing Arbitration Plan.” The Order Establishing the Arbitration Plan was issued after a Petition for Arbitration was filed by BellSouth Telecommunications, Inc. (“BellSouth”) on November 30, 1999, seeking arbitration of an interconnection agreement between it and Tel-Link, LLC and Tel-Link of Florida, LLC (collectively “Tel-Link”). Pursuant to Section 252 (b)(4)(C) of the Telecommunications Act of 1996, the Commission must issue its decision on all open issues in the arbitration proceeding no later than 9 months after the date on which the local exchange carrier received the request for negotiation, or by March 23, 2000. Accordingly, the Commission in Order No. 2000-0041 established an arbitration plan and schedule to assist the Commission in adhering to the timeframes set forth in the Telecommunications Act of 1996.

The Parties have informed the Staff that negotiations have been ongoing to resolve the arbitration proceeding. Staff now requests that the Commission modify the previously established schedule to allow the parties additional time in which to conduct and possibly conclude negotiations, thereby obviating the need for an arbitration hearing. The Commission, upon consideration of the Staff's request, finds good cause demonstrated to grant the request and hereby grants the Staff's request to modify Order No. 2000-0041 captioned "Order Establishing Arbitration Plan."

Accordingly, Order No. 2000-041, dated January 11, 2000, captioned "Order Establishing Arbitration Plan" is modified as follows¹:

(1) The Arbitration Hearing in this Docket shall begin at **2:30 P.M. on Tuesday, February 22, 2000**, in the Commission Hearing Room.

(2) The Commission hereby orders that twenty-five (25) copies of the testimony and exhibits of Tel-Link shall be prefiled on or before **February 9, 2000**. Further, BellSouth shall prefile any rebuttal testimony and exhibits on or before **February 16, 2000**, and Tel-Link shall prefile any surrebuttal testimony and exhibits on or before **February 18, 2000**. It should be noted that acceptance of surrebuttal testimony and exhibits is subject to the discretion of the Commission.

The parties shall serve the other parties with copies of all prefiled testimony and exhibits. Service on the parties and the Commission shall be made by hand-delivery on the dates herein specified. If service cannot be accomplished by hand-delivery on the

¹ The modifications herein relate only to the date of the hearing and due dates of direct testimony, rebuttal and surrebuttal testimony, and the date on which non-binding questions must be filed. The instructions concerning filing, number of copies to be filed, and service on other parties have not been modified from Order No. 2000-0041, but those instructions are repeated herein for emphasis to the parties.

dates indicated herein, service may be accomplished by facsimile transmission of the prefiled testimony and exhibits by the close of business on the dates specified with overnight delivery of the testimony and exhibits to follow.

All parties are reminded that all witnesses must be present during the hearing in this matter at the call of the Chairman, or the Commission may decline to allow the witnesses' testimony to be read into the record of the proceeding, and/or may decline to allow the witnesses' exhibits to be entered into the evidence of the case.

(3) Further, BellSouth and Tel-Link, as well as any participants in this matter, may submit a non-binding list of questions to the Arbitrator (the Commission) on or before **February 14, 2000**.

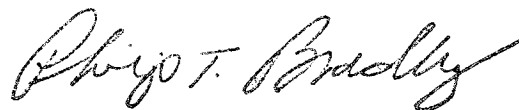
Opening statements of the parties and any participants will be allowed at the beginning of the hearing. Closing statements of the parties and any participants will be allowed at the conclusion of the hearing.

Direct testimony and exhibits of the parties' witnesses shall be presented to the Arbitrator in a panel format, with all witnesses being sworn in concurrently. Examination of the witnesses shall be conducted by the Arbitrator or its designee. The examination may be directed to specific witnesses or to the entire panel of witnesses. Responses by other party to the examination may be allowed at the discretion of the Arbitrator.

Please note that any party requesting modification of this schedule must file a request for such modification with the Commission.

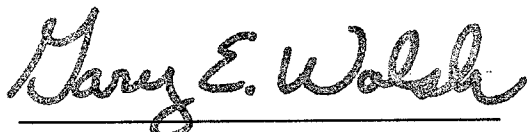
This Order shall remain in full force and effect until further Order of the
Commission.

BY ORDER OF THE COMMISSION:



Chairman

ATTEST:



Executive Director

(SEAL)